

Attorney Docket: NEX86/PCT-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	HICKE ET AL.)	
SERIAL NO.:	10/031,193)	EXAMINER: BJ FORMAN
FILED:	January 31, 2002)	ART UNIT: 1634
FOR:	TENASCIN-C NUCLEIC ACID LIGANDS)	CONF NO: 6209

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

DECLARATION PURSUANT TO 37 CFR § 1.132

Sir:

We, Brian J. Hicke and Stephen Warren, do hereby declare as follows:


1. We are, along with David Parma and Larry Gold, co-inventors of the above-captioned patent application.
2. Claims 33, 45-55 and 57-58 of the above-captioned patent application have been rejected under 35 U.S.C. § 102(a) as being anticipated by Hicke et al., J. Nuc. Med., May 1999 40(5):99 as defined by Hicke (slide presented by Brian Hicke at the Society of Nuclear Medicine Meeting, June 7-10, 1999 in Los Angeles, California).
3. The above-mentioned article and slide are both a publication of our own work. The authors of the article who are not applicants of the patent application were merely working under our direction. Hence, the reference invention is not "by another."
4. At the Society of Nuclear Medicine Meeting, when the slide was displayed, Brian Hicke stated that the non-emphasized G residues, including the G residue at position 9 on the slide, are 2'OMe residues.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

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States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 5/3/04

By: 
Brian J. Hicke

Date: _____

By: _____
Stephen Warren

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